

Protection Order Committee
Judicial Conference of Indiana

Minutes
June 29, 2007

The Protection Order Committee met at the Indiana Judicial Center on Friday, June 29, 2007 from 12:00 noon – 3:30 p.m.

1. Members present. Tammy Baitz, John W. Hammel, Christopher A. Newton, Kim VanValer and Thomas H. Busch, Chair.
2. Staff present. Jeffrey Bercovitz, and Tom Jones provided the committee with staff assistance.
3. Guests present. Mary DePrez, Director and Counsel, Trial Court Technology; Pat Hess, Consultant, Entara Technology Group for JTAC; and Marcie Scott, JTAC were also present.
4. Minutes. The minutes for April 27, 2007 were approved.
5. New Protection Order forms and procedures. Committee members reviewed, revised and approved the following forms:
 - a. Petition for Child Protection Order, CHPO, Temporary Child Protection Order, CHPO-0100 and Child Protection Order, CHPO-0101. They agreed use the revisions suggested by the Department of Child Services and to place CHPO-0100 and CHPO-0101 in a separate section of the website.
 - b. The committee approved a short form Protection Order, PO-0123. Committee members agreed by consensus that protection orders from the registry would be customized to permit a court to use the provisions indicated by the court.
 - c. Revised Protection Orders PO-112 and PO-113 to included new language for income withholding.
 - d. Revised No Contact Orders, NCO-100, NCO-0101, NCO-0102, NCO-0103, and NCO-0104 to permit other conditions be added and add an IDACS code.
 - e. Added a Supplemental Cover Sheet, PO-0124, and a Protection Order Supplement To Confidential Form For Multiple Protected Parties, PO-0125, similar to the supplements for no contact orders.
 - f. Revised the Cover Sheet, Notice of Termination, PO-0117, and Notice of Extension & Modification, PO-0118, to indicate the new Child Protection Order in the list of forms, revise DOB to birth year to comply with Administrative Rule 9, and simplify the space used to indicate the court name.
 - g. Agreed to continue use of PO-0121 when a modification of a Protection Order occurs based on the Brady law after a hearing. However, the Protection Order Registry may generate a new Protection Order from data already in the registry, making the use of PO-0121 obsolete in counties with the registry.

- h. Committee members agreed the following language, which was hand-stamped onto protection orders in Marion County, could be selected for use by a court in an order prepared with the protection order registry: (1) Ex Parte orders: “Petitioner must present documentary evidence at the hearing that shows Petitioner owns or has a right to possess vehicle/residence/personal property listed above.” and (2) Protection Orders: “This order is not intended to interfere with any child visitation orders issued by any other Court.”
- 6. Protection Order Deskbook. Committee members revised two chapters of the Protection Order Deskbook in order to:
 - a. Explain the use of Ex Parte Order hearing procedures in Chapter 3, in light of Judicial Qualifications Commission, Advisory Opinion #1-01
 - b. Remove a reference to page 4, which no longer is contained in the Notification of Extension or Modification form, PO-0117, from Chapter 4, page 11, Protection Order Deskbook:
- 7. Protection Order Registry. Mary DePrez reported the Protection Order Registry is operating in Adams, Blackford, Clay, Owen, Tippecanoe and Vigo counties.
- 8. Future meeting dates. Committee members agreed to meet again on: Friday, August 24, 2007; October 26, 2007, January 25, 2008, February 22, 2008, March 28, 2008, April 25, 2008 and June 27, 2008 all from 12:00 Noon – 3:30 p.m. at the Indiana Judicial Center. The committee will only meet once in January and February. If the January meeting is cancelled due to weather, the committee will meet in February.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law